

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re
City of Detroit, Michigan

Debtor

Chapter 9
Case No. 13-53846
Hon.: Thomas J. Tucker

**JOINT RESPONSE OF CREDITORS DENNIS TAUBITZ AND IRMA INDUSTRIOUS
TO DEBTOR CITY OF DETROIT'S REPLY TO RESPONSE TO OBJECTION TO
CLAIMS NUMBERS 2729 AND 2404**

NOW COMES Creditors Dennis Taubitz and Irma Industrious for their Response to the Debtor City of Detroit's Reply to the Creditor's Response to Objection to the Creditors' Proof of Claims Numbers 2729 and 2404 and state as follows:

Both Creditors have submitted administrative priority claims based on their employment with the Debtor and lack of payment by the Debtor.

Debtor's Reply to the Response by Creditors to the Objection filed by Debtor is disingenuous at best. Debtor admits that both of the Creditors were employees of the Debtor. It follows that employees are entitled to be paid. Debtor has failed to submit any proof of payment to the Creditors. No W2 Statement or 1099 Form have been submitted by the Debtor for the time period in question. Debtor has admitted that are owed money due to their employment with the Debtor.

Debtor fails to articulate any reason why Creditors Dennis Taubitz and Irma Industrious were treated differently than the rest of the approximately 9,000 employees, all of whom received payment of their wages. Debtor next claims that it was improper to submit the administrative priority claim on the Proof of Claim form. Debtor, however, offers no explanation

of why the Debtor supplied a form which clearly lists administrative priority as an option for a claim. Debtor claims that the U.S. Bankruptcy Court entered an Order that dealt with the filing of administrative priority claims. However, Debtor has not provided a document that would indicate that the Creditors Dennis Taubitz and Irma Industrious were ever served with this alleged document.

In summary, Debtor fails to submit any documentation such as W2 Statements or 1099 Forms to contest that wages were not paid. Debtor also has not presented documentation to show that Creditors Dennis Taubitz and Irma Industrious were served with documents related to the filing of administrative priority claims. Indeed, Debtor's own Exhibit is a Proof of Claim form provided by the Debtor to all of the creditors that clearly lists administrative priority as an option to designate a claim. Creditors Dennis Taubitz and Irma Industrious submit that Debtor, by utilizing such a form waived its argument that it was improper to designate a claim as an administrative priority.

WHEREFORE, based on the foregoing, these Creditors respectfully pray that this Honorable Court deny Debtor City of Detroit's Objections to Creditors Dennis Taubitz and Irma Industrious' claims for administrative priority for the reasons previously stated.

Respectfully submitted,

/s/ Dennis Taubitz

/s/ Irma Industrious

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Dated: May 26, 2015

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CASE NO: 13 53846
CHAPTER: 9
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PROOF OF SERVICE

I hereby certify that on MAY 26, 2015 (date of mailing), I served

copies as follows:

1. Document(s) served: Joint Response of Creditors Dennis Taubitz and Irma Industries TO Debtor City of Detroit's Reply TO Response TO objection TO Claims Numbers 2729 and 2404

2. Served upon [name and address of each person served]:

John A Simon
Tamar N Dolcourt
Leah R Imbrogno
Foley and Lardner LLP
500 Woodward Ave. Ste 2700
Detroit, MI 48226

3. By First Class Mail.

Dated: MAY 26, 2015

Dennis Taubitz
(Signature of Debtor) creditor

Print Name: Dennis TAUBITZ

Irma Industries
(Signature of Co-Debtor) creditor

Print Name: Irma Industries